

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

PETER J. MATTIUCCI,

Plaintiff,

v.

Case No: 8:19-cv-2463-T-36CPT

ANDREW M. SAUL, Commissioner of
Social Security,

Defendant.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Christopher P. Tuite on December 7, 2020 (Doc. 19). Magistrate Judge Tuite recommends that: (1) The Commissioner's decision be reversed and remanded for further proceedings; (2) The Clerk of Court be directed to enter Judgment in the Plaintiff's favor and to close the case; and (3) The Court reserve jurisdiction on the matter of attorney's fees and costs pending further motion. Neither party has objected to the Report and Recommendation and the time to do so has expired.

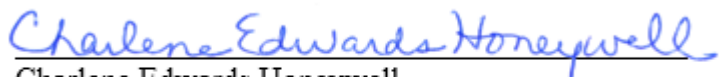
After careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** as follows:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 19) is **ADOPTED**, **CONFIRMED**, and **APPROVED** in all respects and is made a part of this Order for all purposes, including appellate review.

- (2) The final decision of the Commissioner is **REVERSED**. This case is **REMANDED** to the Commissioner for further proceedings.
- (3) The Clerk is directed to terminate any pending motions, enter a judgment in favor of Plaintiff, and close this case.
- (4) The Court reserves jurisdiction on the matter of attorney's fees and costs pending further motion.

DONE and **ORDERED** at Tampa, Florida on December 28, 2020.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:

Counsel of Record

U.S. Magistrate Judge Christopher P. Tuite